

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

JAMES STILE,)	
)	
Petitioner,)	
)	
v.)	1:11-cr-00185-JAW
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

**ORDER VACATING ORDER AFFIRMING
THE RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE ON 28 U.S.C. § 2255 MOTION**

By order dated October 24, 2017, the Court ordered James Stile to file his objection to the Magistrate Judge's recommended decision dated October 6, 2017 by November 27, 2017. *Order* (ECF No. 673). Mr. Stile failed to comply with the order. The Court tugged on the deadline to make certain that the mailbox rule was complied with and on December 7, 2017, the Court issued an order affirming the Magistrate Judge's recommended decision without objection from Mr. Stile. *Order Affirming the Recommended Decision of the Magistrate Judge on 28 U.S.C. § 2255 Mot.* (ECF No. 681). As luck would have it, Mr. Stile filed his objection the very next day, December 8, 2017, with a cover letter explaining why he had been unable to comply with the court-imposed deadline, namely that the Bureau of Prisons assigned him to the Special Housing Unit and he had no access to a computer or typewriter. *Pet'r's Opp'n to Recommended Decision on 28 U.S.C. § 2255 Mot.* (ECF No. 682). In light of Mr. Stile's near miss of the deadline and his explanation for his late-filing, the Court

hereby VACATES its Order Affirming the Recommended Decision of the Magistrate Judge on 28 U.S.C. § 2255 Motion (ECF No. 681). The Court directs the Clerk's Office to set a filing deadline for the United States to respond to Mr. Stile's objection based on the December 8, 2017 filing date for Mr. Stile's objection. Once the filings are complete, the Court will perform a de novo review of the recommended decision dated October 6, 2017.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 18th day of December, 2017